

**19-5-103. Water Quality Board -- Members of board -- Appointment -- Terms -- Organization -- Meetings -- Per diem and expenses.**

- (1) The board consists of the following nine members:
  - (a) the following non-voting member, except that the member may vote to break a tie vote between the voting members:
    - (i) the executive director; or
    - (ii) an employee of the department designated by the executive director; and
  - (b) the following eight voting members, who shall be appointed by the governor with the consent of the Senate:
    - (i) one representative who:
      - (A) is not connected with industry;
      - (B) is an expert in water quality matters; and
      - (C) is a Utah-licensed physician, a Utah-licensed professional engineer, or a scientist with relevant training and experience;
    - (ii) two government representatives who do not represent the federal government;
    - (iii) one representative from the mineral industry;
    - (iv) one representative from the manufacturing industry;
    - (v) one representative who represents agricultural and livestock interests;
    - (vi) one representative from the public who represents:
      - (A) an environmental nongovernmental organization; or
      - (B) a nongovernmental organization that represents community interests and does not represent industry interests; and
    - (vii) one representative from the public who is trained and experienced in public health.
- (2) A member of the board shall:
  - (a) be knowledgeable about water quality matters, as evidenced by a professional degree, a professional accreditation, or documented experience;
  - (b) be a resident of Utah;
  - (c) attend board meetings in accordance with the attendance rules made by the department under Subsection 19-1-201(1)(d)(i)(A); and
  - (d) comply with all applicable statutes, rules, and policies, including the conflict of interest rules made by the department under Subsection 19-1-201(1)(d)(i)(B).
- (3) No more than five of the appointed members may be from the same political party.
- (4) When a vacancy occurs in the membership for any reason, the replacement shall be appointed for the unexpired term with the consent of the Senate.
- (5) (a) A member shall be appointed for a term of four years and is eligible for reappointment.
  - (b) Notwithstanding the requirements of Subsection (5)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of board members are staggered so that half of the appointed board is appointed every two years.
  - (c) (i) Notwithstanding Subsection (5)(a), the term of a board member who is appointed before March 1, 2013, shall expire on February 28, 2013.
  - (ii) On March 1, 2013, the governor shall appoint or reappoint board members in

accordance with this section.

(6) A member shall hold office until the expiration of the member's term and until the member's successor is appointed, not to exceed 90 days after the formal expiration of the term.

(7) The board shall:

(a) organize and annually select one of its members as chair and one of its members as vice chair;

(b) hold at least four regular meetings each calendar year; and

(c) keep minutes of its proceedings which are open to the public for inspection.

(8) The chair may call a special meeting upon the request of three or more members of the board.

(9) Each member of the board and the director shall be notified of the time and place of each meeting.

(10) Five members of the board constitute a quorum for the transaction of business, and the action of a majority of members present is the action of the board.

(11) A member may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses in accordance with:

(a) Section 63A-3-106;

(b) Section 63A-3-107; and

(c) rules made by the Division of Finance pursuant to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 360, 2012 General Session